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8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 Plaintiff, ) No. CR 06-00222 SBA  
13 v. )  
14 ) STIPULATION AND  
15 WARREN CRECY, ) ORDER CONTINUING COURT DATE  
16 Defendant. ) AND EXCLUSION OF TIME UNDER  
17 ) THE SPEEDY TRIAL ACT, 18 U.S.C.  
18 ) § 3161 ET SEQ.  
19 )  
20 )  
21 )  
22 )

23 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of  
24 plea and sentencing date of May 1, 2007, at 11:00 a.m., before the Honorable Saundra Brown  
25 Armstrong, may be continued two weeks to May 15, 2007, at 11:00 a.m. for change of plea and  
26 sentencing.

27 The status of the case is that the defendant Warren Crecy has agreed to plead guilty in  
28 accordance with a revised plea agreement which will be entered into under Fed. R. Crim. P.  
29 11(c)(1)(C). A copy of the plea agreement will be provided to the Court for its consideration. In  
30 addition, a pre-plea report has been prepared however there are disputes which must be determined

at sentencing. Defense counsel needs additional time to obtain documents in preparation for filing its sentencing memorandum. If the Court continue the matter two weeks to May 15, 2007, it should provide adequate time for defense counsel to file a sentencing memorandum addressing the disputes and other sentencing issues.

The parties stipulate that the ends of justice served outweigh the best interests of the public and the defendant in a speedy trial because the failure to grant such a continuance would unreasonably deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The requested continuance is sought under the Speedy Trial Act, 18 U.S.C. §§ 3161(H)(8)(A) and (B)(iv). In addition, once the Court receives the proposed plea agreement, time may be excluded under 18 U.S.C. §3161(h)(1)(I).

/S/

DATED: April 20, 2007

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**MICHELLE MORGAN-KELLY**  
Assistant United States Attorney

DATED: April 23, 2007

JOYCE LEAVITT  
Assistant Federal Public Defender

## SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures indicated by a "conformed" signature ("S") within this efiled document

1 UNITED STATES OF AMERICA VS. WARREN CRECY

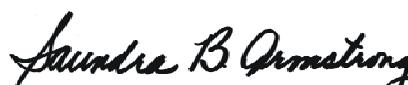
2 **ORDER**

3  
4 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the court date of May 1, 2007  
5 at 11:00 a.m. before the Honorable Saundra Brown Armstrong is hereby continued two weeks to  
6 May 15, 2007 at 11:00 a.m. for change of plea and sentencing.

7 IT IS FURTHER ORDERED that time be excluded under the speedy trial act, 18 U.S.C.  
8 §3161(H) (8)(A) and (B)(iv) from May 1, 2007 until May 15, 2007. The Court finds that the ends of  
9 justice served by the granting of the continuance from May 1, 2007 to May 15, 2007 outweigh the  
10 best interests of the public and the defendant in a speedy and public trial to allow defense counsel  
11 additional time to obtain documents in order to file a sentencing memorandum addressing disputes in  
12 the Pre-plea report and other sentencing issues. 18 U.S.C. §§ 3161(H)(8)(A) and (B)(iv). In  
13 addition, once the Court receives the proposed plea agreement, time shall be excluded under 18  
14 U.S.C. §3161(h)(1)(I).

15  
16 SO ORDERED.

17  
18 DATED: 4/24/07

19   
HON. SAUNDRA BROWN ARMSTRONG  
20 United States District Judge